

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 6261

BILL NUMBER: SB 557

DATE PREPARED: Dec 10, 2000

BILL AMENDED:

SUBJECT: Prohibition of Sex Abusers as Providers of Disabilities Services.

FISCAL ANALYST: Kathy Norris

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FUNDS AFFECTED: X GENERAL
DEDICATED
X FEDERAL

IMPACT: State

Summary of Legislation: This bill prohibits a person who provides services under a program under the authority of the Division of Disability, Aging, and Rehabilitative Services from employing an individual with a documented history of sexually inappropriate behavior. (The introduced version of this bill was prepared by the Indiana Commission on Mental Retardation and Developmental Disabilities.)

Effective Date: July 1, 2001.

Explanation of State Expenditures: This bill would result in a small increase in cost to employers who provide services under the authority of the Division of Disability, Aging, and Rehabilitative Services. It is not clear what is meant by "a documented history of sexually inappropriate behavior." However, a limited criminal history check is used elsewhere in the Statutes to exclude persons from employment who have been convicted of certain crimes. The limited criminal history check includes information with respect to any arrest, indictment, information, or other formal criminal charge which includes a disposition. However, information about any arrest, indictment, information, or other criminal charge that occurred within a year of the date of the request is considered a part of the limited criminal history even though no disposition has been entered. The State Police currently charge a \$7 fee for a limited criminal history check. The number of affected employers or positions is not known. However, the State Developmental Centers are already prohibited from employing any person convicted of: rape, criminal deviate conduct, child molesting, or child exploitation (I.C.12-24-3-2). Similarly, home health agencies, health care facilities, or staffing agencies for healthcare facilities (I.C.16-27-2-5), nursing registries (410 IAC 19-3-10(b)(3), and nurse aides and other unlicensed employee of a health care facility (I.C.16-28-13-5) are prohibited from hiring persons convicted of specified crimes.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Family and Social Services Administration, Division of Disability, Aging, and Rehabilitative Services.

Local Agencies Affected:

Information Sources: Susan Preble, Legislative Liaison to Family and Social Services Administration, (317) 232-1149.